IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 28TH FEBRUARY 2007 / 9TH PHALGUNA 1928

Bail Appl..No. 1181 of 2007

CMP.691/2007 of J.M.F.C.-I,HOSDRUG
CRIME NO.29/2007 OF AMBALATHARA POLICE STATION

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: PETITIONER/ACCUSED

BABU MESTRI, S/O.THOMAS,
P.O.KANNIRAPOYIL, VIA.ANANDASHRAM,
KASARAGOD DISTRICT.

BY ADV. SRI.M.SASINDRAN
SRI.K.P.HARISH

RESPONDENTS: COMPLAINANT & STATE

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1. STATE- REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA, ERNAKULAM.

2. THE STATION HOUSE OFFICER,
(CRIME NO.29 OF 2007 OF
AMBALATHARA POLICE STATION)
KASARAGOD DISTRICT.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 28/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1181/2007

Dated this 28th day of February, 2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner who is the accused in Crime No.29/2007 of Ambalathara Police Station for an offence punishable under Section 376 I.P.C and also under Section 3(1)(xii) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, seeks his enlargement on bail. Petitioner was arrested on 12.2.2007.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences and the other circumstances of the case, I am inclined to grant bail to the petitioner, but only from a future date. Accordingly, the petitioner is directed to be released on bail with effect from 12.3.2007, on his executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M-I, Hosdurg, and subject to the following conditions:

(a). The petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

(b). The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.

(c). The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

(d). The petitioner shall not commit any offence while on bail.

4. If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

The application is allowed as above.

V.RAMKUMAR,
JUDGE

mrcs